

The labeling of the fuse located in the lower portion of tester 16 was inadvertently overlooked in FIG. 4. Please add the numerals 43, 42, and 32 as shown in the accompanying corrected FIG. 4. Fuse 43 is connected to switch 26 by switch wire 42 and to a first lead or first line 32 as depicted in the corrected FIG. 4.

REMARKS

The present invention provides a portable testing device to be used by utility service personnel to determine if an electric meter will operate when a load is applied to it. The present invention does not test for the accuracy of a meter nor does it purport to recalibrate a meter. The present invention is intended as a simple test of the functioning of a meter when under a load. The present invention is intended to be used by field personnel to test the basic operation of a meter that is indicating low or no usage during a billing cycle. The present invention saves time and money by enabling testing at the meter in the field without having to disconnect the meter, replace it with a known operational meter, and transport the questionable meter back to a laboratory for testing. The title of the present invention has been changed to more clearly indicate the invention to which the claims are directed.

The drawings have been amended to include designation of element 62. Element 62 is preferably a dry water heater element of the type commercially available today. A dry water heater element is a heating element for a water heater which element does not directly touch the water it is heating, hence the name "dry water heater element." Its use in the present invention is to supply a large resistance when the present invention is connected to the meter to be tested, thus causing the eddy current disc of an operational meter to turn.

The drawings have also been amended to include designation of light 21. Light 21 is visible in FIG. 2 just below and slightly hidden by handle 20. FIG. 1 illustrates light 21 as well, although no numeral designates it in this drawing. In FIG. 1, light 21 is illustrated as the circle below the handle of the tester held by the field worker. Light 21 of the present invention is used as an indicator that the circuit is closed during testing of a meter, even if the eddy current disc of the meter does not turn. When light 21 is lit, the field worker testing the meter knows that the circuit of the tester is closed and electrical current is flowing through the tester. The field worker may then assess the movement or lack thereof of the eddy current disc on the meter and determine if the meter is functioning or should be removed and replaced with another meter.

The drawings have also been amended to include designation of fuse 43. Fuse 43 is depicted in FIG. 4 as connected in the circuit of the tester by switch wire 42 on one side and by first lead or first line 32 on the other side. Fuse 43 is intended to act as a break to the circuit if any mistake is made in connecting the tester to the meter to be tested. If further clarification of the drawings is needed, Applicant respectfully requests that signatory of this document be contacted at the number given at the bottom of this document.

Claim 1-19 were rejected under 35 U.S.C. § 112, second paragraph, as being

indefinite. The corrections to the drawings should clarify the subject matter which Applicant regards as the invention. The Examiner expressed some puzzlement as to the step of generating a resistance. The generation of resistance occurs when the circuit of the present invention is completed and the electric current travels through element 62 (preferably a commercially available dry water heater element).

Claims 12-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wagner. Applicant respectfully asserts that Wagner is inapposite on several grounds. First Wagner requires that jumpers be used to carry any current being used on the consumer's premises while the meter is being tested. The present invention does not require jumpers to carry current during the testing. Second, Wagner requires the meter to be taken out of the circuit at the premises. The present invention does not require the removal from the circuit of the meter to be tested. Third, Wagner is an accuracy test of the meter, while the present invention is a simple function test.

Claims 1-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Phillips et al. The Phillips et al. device makes calculations for accuracy of the tested meter. In Phillips, et al., an articulated light generating and receiving means is aligned with the revolving disc of the meter so that light passes through an aperture in the disc to the receiving means and then signals a verifying apparatus to give an indication of the watt hour reading of the meter being tested. The light of the present invention is merely an indicator that the circuit of the tester of the present invention is closed.


The Examiner cited two other patents as pertinent to Applicant's disclosure. Carr, et al. is a computerized solid state meter tester with a computer program that tests for accuracy and calibration of the meter. Draus, et al. is also an accuracy testing apparatus with means for recalibrating a meter in the field. Neither of these patents disclose devices similar to Applicant's.

In view of the foregoing amendments and remarks, it is believed that the invention defined by each of the claims in the application is patentable under both §§112 and 103. Accordingly, reconsideration of the application and allowance of the claims as now presented are earnestly requested.

Date: _____

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Respectfully submitted,



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